

EXHIBIT 56

**to Declaration of William J. Goines in Opposition to
Plaintiffs' Motion for Class Certification**

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Attorneys for Defendants Polo Ralph Lauren Corporation; Polo
 Retail, LLC; Polo Ralph Lauren Corporation, doing business in
 California as Polo Retail Corporation; and Fashions Outlet of
 America, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANN OTSUKA, an individual; JANIS KEEFE,
 an individual; CORINNE PHIPPS, an
 individual; and on behalf of all others similarly
 situated,

Plaintiffs,

v.

POLO RALPH LAUREN CORPORATION, a
 Delaware Corporation; et al.,

Defendants.

Case No. C07-02780 SI

**DECLARATION OF KATHRYN MYERS
 IN SUPPORT OF OPPOSITION TO
 PLAINTIFFS' MOTION FOR CLASS
 CERTIFICATION**

DATE: July 11, 2008
 TIME: 9:00 a.m.
 CTRM: 10, 19th Fl.
 JUDGE: The Hon. Susan Illston

1 I, KATHRYN MYERS, declare:

2 1. I am presently a full time assistant manager merchandising at the Polo Ralph Lauren
3 Factory Outlet store located in Anderson, California ("Anderson store"). I have personal knowledge
4 of the facts set forth in this declaration, and if called as a witness, could and would competently
5 testify as set forth below.

6 2. I started working for the Anderson store in November 1997 as a sales associate, and
7 became an assistant manager approximately six months afterwards. I work approximately 40 hours
8 per week, 5 days a week. I receive a salary.

9 **Bag Inspection**

10 3. Each day after clocking out and prior to exiting the store, I must go through a bag
11 inspection process which is performed by either a manager or supervisor. Since I started working
12 here in 1997, it has taken about 2 to 5 minutes to leave the store after I clock out and have my bag
13 inspected.

14 **Rest Breaks**

15 4. The rest breaks are scheduled by the manager on the Daily Planning Agenda. Since
16 1997 sales associates have been assigned times to take their rest breaks. I have observed sales
17 associates taking their rest breaks since I started with Polo. Back then rest breaks were not written on
18 the Daily Planning Agenda, sales associates were verbally told when to go on their breaks.

19 5. Since I was promoted to assistant manager I coordinated rest breaks with the sales
20 associates on my shifts and followed up to see that they were taken. The General Manager and I
21 followed up when necessary.

22 **Meal Breaks**

23 6. The timing of meal breaks are scheduled by the manager on the Daily Planning
24 Agenda. Since 1997 I have observed sales associates taking their meal breaks.

25 **Katy Fawver**

26 7. I have read the Declaration of Katy Fawver. I was a manager for the time period that
27 Katy worked in the Anderson store.
28

001/001

8. Katy's statement that she never took rest breaks is contrary to my observations as an assistant manager in this store. As an assistant manager I made sure the sales associates working during my shift took rest breaks. I may have forgotten on occasion but it was my practice to check in with employees later in the day to make sure they had taken their breaks.

9. Katy's statement that she waited 15 to 20 minutes for a bag inspection after clocking out is contrary to my observation as a manager in this store. We instruct sales associates not to clock out until everyone is ready to leave the store together to avoid the kind of wait times that Katy describes. I have never observed wait times as long as what Katy describes; generally wait times for the bag inspection are 2 to 3 minutes and 5 minutes at the most.

I declare under penalty of perjury that the foregoing is true and correct. Executed in
Anderson, California, this 17th day of June, 2008.

Kathryn Myers
Kathryn Myers

EXHIBIT 57

**to Declaration of William J. Goines in Opposition to
Plaintiffs' Motion for Class Certification**

WILLIAM J. GOINES (SBN 061290)
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Attorneys for Defendants Polo Ralph Lauren Corporation; Polo
 Retail, LLC; Polo Ralph Lauren Corporation, doing business in
 California as Polo Retail Corporation; and Fashions Outlet of
 America, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANN OTSUKA, an individual; JANIS KEEFE,
 an individual; CORINNE PHIPPS, an
 individual; and on behalf of all others similarly
 situated,

Plaintiffs,

v.

POLO RALPH LAUREN CORPORATION, a
 Delaware Corporation; et al.,

Defendants.

Case No. C07-02780 SI

**DECLARATION OF LAURA HANES IN
 SUPPORT OF OPPOSITION TO
 PLAINTIFFS' MOTION FOR CLASS
 CERTIFICATION**

DATE: July 11, 2008
 TIME: 9:00 a.m.
 CTRM: 10, 19th Fl.
 JUDGE: The Hon. Susan Illston

1 I, LAURA HANES, declare:

2 1. I am presently a part-time sales associate at the Polo Ralph Lauren Factory Outlet
3 store located in Anderson, California ("Anderson store"). I have personal knowledge of the facts set
4 forth in this declaration, and if called as a witness, could and would competently testify as set forth
5 below.

6 2. I started working for the Anderson store in September 2005. I work approximately 20-
7 24 hours per week, 5 days a week. I receive an hourly rate of pay.

8 **Bag Inspection**

9 3. Each day after clocking out and prior to exiting the store, I must go through a bag
10 inspection process which is performed by either a manager or supervisor. Since I started working
11 here in 2005, it has taken about 1 minute to leave the store after I clock out and have my bag
12 inspected. If there is a longer wait time than 1 minute, it is because I have engaged in discussions
13 with friends or other things of a personal nature prior to exiting the store.

14 4. I have not had any problems with locating a manager to perform a bag inspection and
15 have no complaints about the process.

16 5. Managers are usually prepared to perform bag inspection searches as employees end
17 their shifts and clock out.

18 6. Even if a manager is busy with a customer, they will make themselves available to
19 perform a bag inspection search.

20 **Clocking Out**

21 7. I have never experienced any problems with clocking out at the end of my shift.

22 8. I am always on the clock when I am working. I am paid for all the time spent working
23 in the store.

24 **Rest Breaks**

25 9. Based on my shift schedule, Polo provides me with one 15-minute rest break.

26 10. Rest breaks are usually scheduled for the middle of my shift. A manager will usually
27 ask me if I am ready to take a break.

28 11. I always take my 15-minute rest break.

12. In the three-years I have worked in the Anderson store, I have probably missed 1-3 rest breaks. However, this was my choice and was not because Polo prevented me from taking a rest break.

Meal Breaks

13. There are times that I also take a meal break when I work a longer shift. The timing of meal breaks are scheduled usually mid-way through your shift, approximately 4 hours into your shift.

14. I always take my meal breaks. I have never missed a meal break.

I declare under penalty of perjury that the foregoing is true and correct. Executed at
Anderson, California, this 13th day of June, 2008.

Laura Hanes
Laura Hanes

EXHIBIT 58

**to Declaration of William J. Goines in Opposition to
Plaintiffs' Motion for Class Certification**

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2 ALISHA M. LOUIE (SBN 240863)
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11 Attorneys for Defendants Polo Ralph Lauren Corporation; Polo
12 Retail, LLC; Polo Ralph Lauren Corporation, doing business in
13 California as Polo Retail Corporation; and Fashions Outlet of
America, Inc.

14 **UNITED STATES DISTRICT COURT**
15 **NORTHERN DISTRICT OF CALIFORNIA**

16
17 ANN OTSUKA, an individual; JANIS KEEFE,
18 an individual; CORINNE PHIPPS, an
19 individual; and on behalf of all others similarly
situated,

20 Plaintiffs,

v.

21 POLO RALPH LAUREN CORPORATION, a
22 Delaware Corporation; et al.,

23 Defendants.

Case No. C07-02780 SI

**DECLARATION OF CATHY
GUERRERO IN SUPPORT OF
OPPOSITION TO PLAINTIFFS'
MOTION FOR CLASS
CERTIFICATION**

DATE: July 11, 2008
TIME: 9:00 a.m.
CTRM: 10, 19th Fl.
JUDGE: The Hon. Susan Illston

1 I, CATHY GUERRERO declare:

2 1. I am presently a part-time sales associate in the two Polo Ralph Lauren Factory Outlet
3 stores located in Cabazon California ("Cabazon store" and "Cabazon Luxe store"). I have personal
4 knowledge of the facts set forth in this declaration, and if called as a witness, could and would
5 competently testify as set forth below.

6 2. The Cabazon Luxe store exclusively carries merchandise that was previously sold at
7 the full price Polo Ralph Lauren stores, while the Cabazon store carries a combination of
8 merchandise previously sold at the full price Polo Ralph Lauren store and factory outlet merchandise.
9 I worked exclusively for the Cabazon Luxe store from November 2007 to April 2008, and I still
10 continue to work there 1 day a week. In April 2008 I started working primarily for the Cabazon
11 store.

12 3. I work approximately 30 hours a week and am paid at an hourly rate of pay. I
13 generally work five days a week.

14 **Bag Inspection**

15 4. Each day after clocking out and prior to exiting the store, I must go through a bag
16 inspection process which is performed by either a manager or supervisor. From the time that I have
17 clocked out until the time I have exited the store, following a bag inspection, I would estimate that
18 this process takes no more than 5 minutes for girls, and even less time for guys because they don't
19 usually have bags. It might take longer than 5 minutes if a sensor goes off in your bag that requires
20 additional inspection.

21 5. I rarely have any problems with locating a manager to perform a bag inspection and
22 have no complaints about the process.

23 **Clocking Out**

24 6. I have never experienced any problems with clocking-out at the end of my shift. My
25 paycheck accurately reflects the number of hours that I have worked.

26 7. A manager has never clocked me out on the time clock system; I always clock myself
27 out.
28

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1 Rest Breaks

2 8. I always take my rest breaks; I generally take my first rest break after 2 hours of work
3 and then every two hours afterwards I get either a meal break or a rest break. A manager tells you
4 when to take your rest break and they are always on top of it.

5 9. The Daily Planning Agenda has the times for all rest breaks written down, and
6 sometimes I check to see what time my rest break is scheduled.

7 Meal Breaks

8 10. Meal breaks work the same way as rest breaks; a manager tells you when to go and the
9 timing is written down on the Daily Planning Agenda.

10 11. I have never missed a meal break; that would be horrible.

11 I declare under penalty of perjury that the foregoing is true and correct. Executed at Cabazon
12 California, this 16 day of June, 2008.

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15 Cathy Guerrero
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EXHIBIT 59

**to Declaration of William J. Goines in Opposition to
Plaintiffs' Motion for Class Certification**

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Attorneys for Defendants Polo Ralph Lauren Corporation; Polo
Retail, LLC; Polo Ralph Lauren Corporation, doing business in
California as Polo Retail Corporation; and Fashions Outlet of
America, Inc.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ANN OTSUKA, an individual; JANIS KEEFE,
an individual; CORINNE PHIPPS, an
individual; and on behalf of all others similarly
situated,

Plaintiffs,

v.

POLO RALPH LAUREN CORPORATION, a
Delaware Corporation; et al.,

Defendants.

Case No. C07-02780 SI

**DECLARATION OF AARON KING IN
SUPPORT OF OPPOSITION TO
PLAINTIFFS' MOTION FOR CLASS
CERTIFICATION**

DATE: July 11, 2008
TIME: 9:00 a.m.
CTRM: 10, 19th Fl.
JUDGE: The Hon. Susan Illston

1 I, AARON KING declare:

2 1. I am presently a full-time mens lead in the Polo Ralph Lauren Factory Outlet store
3 located in Cabazon California ("Cabazon store"). I have personal knowledge of the facts set forth in
4 this declaration, and if called as a witness, could and would competently testify as set forth below.

5 2. The position of mens lead is one step below a supervisor. I take control of projects
6 given to me by the managers and look after part-time sales associates.

7 3. I started working for the Cabazon store in November 2006 as a part-time employee. I
8 was a part time employee until February or March of this year when I became mens lead and a full-
9 time employee.

10 4. I currently work approximately 34-35 hours per week, 5 days a week and I am paid at
11 an hourly rate of pay.

12 **Bag Inspection**

13 5. Each day after clocking out and prior to exiting the store, I must go through a bag
14 inspection process which is performed by either a manager or supervisor. From the time that I have
15 clocked out until the time I have exited the store, following a bag inspection, I would estimate that
16 this process takes no more than 5 minutes at the most. The average wait time is 1-2 minutes.

17 6. After I clock out I use a walkie-talkie to tell a manager to meet me at the door to
18 perform a bag inspection. I have not had any problems with locating a manager to perform a bag
19 inspection and have no complaints about the process.

20 **Clocking Out**

21 7. I have never experienced any problems with clocking-out at the end of my shift. My
22 paycheck accurately reflects the number of hours that I have worked.

23 **Rest Breaks**

24 8. As far as I can remember I have not missed a rest break. The Daily Planning Agenda
25 has the times for all rest breaks written down, and sometimes I check to see what time my rest break
26 is scheduled. Usually I know to expect my rest break after two hours of working.

27 9. A manager tells you over a walkie-talkie when it is time to go on your rest break, or
28 they hunt you down and tell you in person.

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1 10. Excusing employees for rest breaks actually is easier on busy days because managers
2 distribute copies of the rest and meal break schedule to each employee working that day.

3 Meal Breaks

4 11. Meal breaks work the same way as rest breaks: a manager tells you when to go and the
5 timing is written down on the Daily Planning Agenda.

6 12. I have never missed a meal break.

7 I declare under penalty of perjury that the foregoing is true and correct. Executed at Cabazon
8 California, this 16 day of June, 2008.

9
10 
11 Aaron King

EXHIBIT 60

**to Declaration of William J. Goines in Opposition to
Plaintiffs' Motion for Class Certification**

WILLIAM J. GOINES (SBN 061290)
 ALISHA M. LOUIE (SBN 240863)
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Attorneys for Defendants Polo Ralph Lauren Corporation; Polo
 Retail, LLC; Polo Ralph Lauren Corporation, doing business in
 California as Polo Retail Corporation; and Fashions Outlet of
 America, Inc.

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA**

ANN OTSUKA, an individual; JANIS KEEFE,
 an individual; CORINNE PHIPPS, an
 individual; and on behalf of all others similarly
 situated,

Plaintiffs,

v.

POLO RALPH LAUREN CORPORATION, a
 Delaware Corporation; et al.,

Defendants.

Case No. C07-02780 SI

**DECLARATION OF DORSIE MAY
 STEVENS IN SUPPORT OF
 OPPOSITION TO PLAINTIFFS'
 MOTION FOR CLASS
 CERTIFICATION**

DATE: July 11, 2008
 TIME: 9:00 a.m.
 CTRM: 10, 19th Fl.
 JUDGE: The Hon. Susan Illston

1 I, DORSIE MAY STEVENS declare:

2 1. I am presently a stock supervisor in the Polo Ralph Lauren Factory Outlet store
3 located in Cabazon, California ("Cabazon store"). I have personal knowledge of the facts set forth in
4 this declaration, and if called as a witness, could and would competently testify as set forth below.

5 2. I started working for the Cabazon store in March 2008 as a full-time employee.

6 3. I currently work approximately 40 hours per week, 5 days a week and I am paid at an
7 hourly rate of pay. I usually work the 5 am to 2 pm shift.

8 **Bag Inspection**

9 4. Each day after clocking out and prior to exiting the store, I must go through a bag
10 inspection process which is performed by either a manager or supervisor. From the time that I have
11 clocked out until the time I have exited the store, following a bag inspection, I would estimate that
12 this process takes about 30 seconds. There are generally 4-5 people who can perform the bag check
13 so it is easy to find someone.

14 5. I have never waited more than 2 minutes at the most to be checked out. I have not had
15 any problems with locating a manager to perform a bag inspection and have no complaints about the
16 process.

17 **Clocking Out**

18 6. I have never experienced any problems with clocking-out at the end of my shift. I
19 clock myself in and out unless I forget, and then a manager may adjust my time.

20 7. I keep track of my time down to the minute and I always check to make sure that I am
21 paid for all of the time that I work. The timekeeping systems allow me to print out all of my time and
22 I compare these receipts to my paycheck. My paycheck always accurately reflects the number of
23 hours that I have worked.

24 **Rest Breaks**

25 8. In the stock room everyone takes their rest break at the same time- 7 am on the dot.
26 No one tells me when to take my rest break; it is always at the same time.

27 9. I have never missed a rest break; I am a smoker and so it is important to me to be able
28 leave to take a smoking break.

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Meal Breaks

10. I have never missed a meal break; I always take my meal break at the same time every day.

I declare under penalty of perjury that the foregoing is true and correct. Executed at Cabazon California, this 13 day of June, 2008.


Dorsie May Stevens

EXHIBIT 61

**to Declaration of William J. Goines in Opposition to
Plaintiffs' Motion for Class Certification**

1 WILLIAM J. GOINES (SBN 061290)
2 ALISHA M. LOUIE (SBN 240863)
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11 Attorneys for Defendants Polo Ralph Lauren Corporation; Polo
12 Retail, LLC; Polo Ralph Lauren Corporation, doing business in
California as Polo Retail Corporation; and Fashions Outlet of
13 America, Inc.

14 **UNITED STATES DISTRICT COURT**
15 **NORTHERN DISTRICT OF CALIFORNIA**

17 ANN OTSUKA, an individual; JANIS KEEFE,
18 an individual; CORINNE PHIPPS, an
individual; and on behalf of all others similarly
19 situated,

20 Plaintiffs,
v.

21 POLO RALPH LAUREN CORPORATION, a
22 Delaware Corporation; et al.,
23 Defendants.

Case No. C07-02780 SI

**DECLARATION OF KIMELL
ELLINGTON IN SUPPORT OF
OPPOSITION TO PLAINTIFFS'
MOTION FOR CLASS
CERTIFICATION**

DATE: July 11, 2008
TIME: 9:00 a.m.
CTRM: 10, 19th Fl.
JUDGE: The Hon. Susan Illston

1 I, KIMELL ELLINGTON declare:

2 1. I am presently a part-time sales associate in the Polo Ralph Lauren Factory Outlet
3 store located in Cabazon, California ("Cabazon store"). I have personal knowledge of the facts set
4 forth in this declaration, and if called as a witness, could and would competently testify as set forth
5 below.

6 2. I started working for the Cabazon store in October 2007 as a part-time employee.

7 3. I currently work approximately 13 hours per week, 3-4 days a week and I am paid at
8 an hourly rate of pay.

9 **Bag Inspection**

10 4. Each day after clocking out and prior to exiting the store, I must go through a bag
11 inspection process which is performed by either a manager or supervisor. From the time that I have
12 clocked out until the time I have exited the store, following a bag inspection, I would estimate that
13 this process takes about one minute.

14 5. I don't have to wait for a manager to come and inspect my bag, they usually walk me
15 to the door after I clock out. I have not had any problems with locating a manager to perform a bag
16 inspection and have no complaints about the process.

17 **Clocking Out**

18 6. I have never experienced any problems with clocking-out at the end of my shift.

19 7. My paycheck accurately reflects the number of hours that I have worked. I know this
20 because I check my hours for accuracy every time I clock in for every shift. Polo has never made a
21 mistake with my hours since I've been here.

22 **Rest Breaks**

23 8. A manager will come and tell me when its time to go on a rest break. The managers
24 are really on top of it. I have never missed a rest break. One time I asked a manager if I could skip
25 my rest break because I wanted to straighten up my department but the manager said no.

26 9. The Daily Planning Agenda has the times for all rest and meal breaks written down,
27 and I sign the Daily Planning Agenda after I take my break. Other than signing off, I don't usually
28 look at the Daily Planning Agenda.

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1 Meal Breaks

2 10. Meal breaks work the same way as rest breaks: a manager tells you when to go and the
3 timing is written down on the Daily Planning Agenda.

4 11. I have never missed a meal break.

5 I declare under penalty of perjury that the foregoing is true and correct. Executed at Cabazon
6 California, this 15 day of June, 2008.

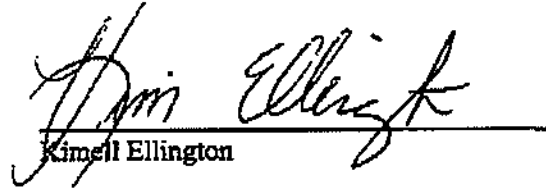
7
8 
9 Kimell Ellington

EXHIBIT 62

**to Declaration of William J. Goines in Opposition to
Plaintiffs' Motion for Class Certification**

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18 Attorneys for Defendants Polo Ralph Lauren Corporation; Polo
19 Retail, LLC; Polo Ralph Lauren Corporation, doing business in
20 California as Polo Retail Corporation; and Fashions Outlet of
21 America, Inc.

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANN OTSUKA, an individual; JANIS KEEFE,
an individual; CORINNE PHIPPS, an
individual; and on behalf of all others similarly
situated,

Plaintiffs,

v.

POLO RALPH LAUREN CORPORATION, a
Delaware Corporation; et al.,

Defendants.

Case No. C07-02780 SI

**DECLARATION OF KARLIE
GUNDERSON IN SUPPORT OF
OPPOSITION TO PLAINTIFFS'
MOTION FOR CLASS
CERTIFICATION**

DATE: July 11, 2008
TIME: 9:00 a.m.
CTRM: 10, 19th Fl.
JUDGE: The Hon. Susan Illston

1 I, KARLIE GUNDERSON, declare:

2 1. I am presently a full time cash lead at the Polo Ralph Lauren Factory Outlet store
3 located in Cabazon, California ("Cabazon store"). I have personal knowledge of the facts set forth in
4 this declaration, and if called as a witness, could and would competently testify as set forth below.

5 2. I started working for the Cabazon store in April 2007 as a part-time cashier. I became
6 a full time cash lead in September 2007.

7 3. I currently work approximately 33-39 hours per week, 5 days a week and I am paid at
8 an hourly rate of pay.

9 **Bag Inspection**

10 4. Each day after clocking out and prior to exiting the store, I must go through a bag
11 inspection process which is performed by either a manager or supervisor. Generally it takes 3
12 minutes after I clock out have my bag inspected and leave the store. Even during busy times the
13 maximum wait time is 5 minutes.

14 5. I have not had any problems with locating a manager to perform a bag inspection and
15 have no complaints about the process. If I don't see a manager I have someone with a walkie-talkie
16 call for a manager to meet me at the door.

17 **Clocking Out**

18 6. I have never experienced any problems with clocking-out at the end of my shift. Once
19 in a while I will clock out and then the customer line to pay gets very long so I will clock back in and
20 cashier. I usually wait until the line gets short, and then clock out and leave the store.

21 7. My paycheck accurately reflects the number of hours that I have worked. I know this
22 because I keep track of my hours.

23 **Rest Breaks**

24 8. A manager will come and tell me when its time to go on a rest break. Managers are
25 good about letting you know when to go. The rest break schedule is written on the Daily Planning
26 Agenda, but I don't usually check it, I just wait for a manager to tell me when its my turn.

27 9. I have maybe forgotten to take my rest break one time, when it was very busy, but
28 otherwise I have always taken them.

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Meal Breaks

10. Meal breaks work the same way as rest breaks: a manager tells you when to go and the timing is written down on the Daily Planning Agenda.

11. I have never missed a meal break.

I declare under penalty of perjury that the foregoing is true and correct. Executed at Cabazon California, this 11 day of June, 2008.


Karlie Gunderson

EXHIBIT 63

**to Declaration of William J. Goines in Opposition to
Plaintiffs' Motion for Class Certification**

WILLIAM J. GOINES (SBN 061290)
ALISHA M. LOUIE (SBN 240863)
KAREN ROSENTHAL (SBN 209419)
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Attorneys for Defendants Polo Ralph Lauren Corporation; Polo
Retail, LLC; Polo Ralph Lauren Corporation, doing business in
California as Polo Retail Corporation; and Fashions Outlet of
America, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANN OTSUKA, an individual; JANIS KEEFE,
an individual; CORINNE PHIPPS, an
individual; and on behalf of all others similarly
situated,

Plaintiffs,

v.

POLO RALPH LAUREN CORPORATION, a
Delaware Corporation; et al.,

Defendants.

Case No. C07-02780 SI

**DECLARATION OF BRANDI
ELLSWORTH IN SUPPORT OF
OPPOSITION TO PLAINTIFFS'
MOTION FOR CLASS
CERTIFICATION**

DATE: July 11, 2008
TIME: 9:00 a.m.
CTRM: 10, 19th Fl.
JUDGE: The Hon. Susan Illston

1 I, BRANDI ELLSWORTH, declare:

2 1. I am presently the Womens Supervisor in the Polo Ralph Lauren Factory Outlet store
3 located in Cabazon, California ("Cabazon store"). I have personal knowledge of the facts set forth in
4 this declaration, and if called as a witness, could and would competently testify as set forth below.

5 2. I started working for the Cabazon store in October 2007 as a full time stock associate.
6 I was promoted in April 2008 to my current position.

7 3. I currently work approximately 40 hours per week, 5 days a week and I am paid at an
8 hourly rate of pay.

9 **Bag Inspection**

10 4. Each day after clocking out and prior to exiting the store, I must go through a bag
11 inspection process which is performed by either a manager or supervisor. The longest I've ever had
12 to wait for a bag inspection search during our busiest peak hours is 5 minutes, and that is when we are
13 short-staffed and I have to find a supervisor. On a normal day it takes 1-2 minutes because a
14 manager follows me to the door.

15 5. I have not had any serious problems with locating a manager to perform a bag
16 inspection and have no complaints about the process.

17 **Clocking Out**

18 6. I have never experienced any problems with clocking-out at the end of my shift. If I
19 am working late and leaving the store with a manager, I have observed her adding five minutes to my
20 time when she clocks me out so that I am fully paid for time it takes to shut down the system and
21 leave the store.

22 7. If I ever work longer than what I am clocked in for I have seen the managers leave a
23 note for the opening manager the next day so that my time is adjusted. I always check to make sure so
24 I know that the additional time is added.

25 8. My paycheck accurately reflects the number of hours that I have worked. I know this
26 because I keep track of my hours carefully, and I always check to make sure I'm paid according to
27 the amount of hours that I have worked.
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1 Rest Breaks

2 9. A manager will come and tell me when its time to go on a rest break. The Daily
3 Planning Agenda has the times for all rest and meal breaks written down, and sometimes associates
4 look at the Daily Planning Agenda, but generally I am informed personally by a manager when it is
5 time to go on my rest break.

6 10. I have never missed a rest break, even when it is very busy, because I don't work for
7 free. The store managers are adamant about employees taking breaks.

8 Meal Breaks

9 11. Meal breaks work the same way as rest breaks: a manager tells you when to go and the
10 timing is written down on the Daily Planning Agenda.

11 12. I have never missed a meal break.

12 I declare under penalty of perjury that the foregoing is true and correct. Executed at Cabazon
13 California, this 16 day of June, 2008.


14
15 
16 Brandi Ellsworth

EXHIBIT 64

**to Declaration of William J. Goines in Opposition to
Plaintiffs' Motion for Class Certification**

WILLIAM J. GOINES (SBN 061290)
ALISHA M. LOUIE (SBN 240863)
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Attorneys for Defendants Polo Ralph Lauren Corporation; Polo
Retail, LLC; Polo Ralph Lauren Corporation, doing business in
California as Polo Retail Corporation; and Fashions Outlet of
America, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANN OTSUKA, an individual; JANIS KEEFE,
an individual; CORINNE PHIPPS, an
individual; and on behalf of all others similarly
situated,

Plaintiffs,

v.

POLO RALPH LAUREN CORPORATION, a
Delaware Corporation; et al.,

Defendants.

Case No. C07-02780 SI

**DECLARATION OF BAO YANG IN
SUPPORT OF OPPOSITION TO
PLAINTIFFS' MOTION FOR CLASS
CERTIFICATION**

DATE: July 11, 2008
TIME: 9:00 a.m.
CTRM: 10, 19th Fl.
JUDGE: The Hon. Susan Illston

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1 I, BAO YANG, declare:

2 1. I am presently a part time sales associate at the Polo Ralph Lauren Factory Outlet store
3 located in Cabazon, California ("Cabazon store"). I have personal knowledge of the facts set forth in
4 this declaration, and if called as a witness, could and would competently testify as set forth below.

5 2. I started working for the Cabazon store 3 ½ years ago, on the day after Thanksgiving
6 2004. I currently work approximately 33-39 hours per week, 5 days a week and I am paid at an
7 hourly rate of pay.

8 **Bag Inspection**

9 3. Each day after clocking out and prior to exiting the store, I must go through a bag
10 inspection process which is performed by either a manager or supervisor. For the entire 3 ½ years I
11 have worked for this store, it has taken an average of 2-3 minutes to leave to store after I clock out
12 and have my bag inspected, maybe 5 minutes if a manager is in a shift meeting. Even during busy
13 times the wait is 2-3 minutes.

14 4. I have not had any problems with locating a manager to perform a bag inspection and
15 have no complaints about the process.

16 **Clocking Out**

17 5. I have never experienced any problems with clocking-out at the end of my shift. My
18 paycheck accurately reflects the number of hours that I have worked.

19 **Meal Breaks**

20 6. Meal breaks work the same way as rest breaks: a manager tells you when to go and the
21 timing is written down on the Daily Planning Agenda.

22 7. Two years ago when I was working I missed a meal break, but when the manager
23 realized what happened I left earlier that day. Other than that one time I have always taken my meal
24 break.

25 I declare under penalty of perjury that the foregoing is true and correct. Executed at Cabazon
26 California, this 16 day of June, 2008.

27
28 
Bao Yang

EXHIBIT 65

**to Declaration of William J. Goines in Opposition to
Plaintiffs' Motion for Class Certification**

1 WILLIAM J. GOINES (SBN 061290)
2 ALISHA M. LOUIE (SBN 240863)
3 KAREN ROSENTHAL (SBN 209419)
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11 JEREMY A. MEIER (SBN 139849)
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15 Telephone: (916) 442-1111
16 Facsimile: (916) 448-1709
17 Email: meierj@gtlaw.com

18 Attorneys for Defendants Polo Ralph Lauren Corporation; Polo
19 Retail, LLC; Polo Ralph Lauren Corporation, doing business in
20 California as Polo Retail Corporation; and Fashions Outlet of
21 America, Inc.

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

17 ANN OTSUKA, an individual; JANIS KEEFE,
18 an individual; CORINNE PHIPPS, an
19 individual; and on behalf of all others similarly
20 situated,

21 Plaintiffs,

22 v.

23 POLO RALPH LAUREN CORPORATION, a
24 Delaware Corporation; et al.,

25 Defendants.

Case No. C07-02780 SI

**DECLARATION OF ANTHONY
SALINAS IN SUPPORT OF
OPPOSITION TO PLAINTIFFS'
MOTION FOR CLASS
CERTIFICATION**

DATE: July 11, 2008
TIME: 9:00 a.m.
CTRM: 10, 19th Fl.
JUDGE: The Hon. Susan Illston

1 I, ANTHONY SALINAS, declare:

2 1. I am presently a part time sales associate at the Polo Ralph Lauren Factory Outlet store
3 located in Cabazon, California ("Cabazon store"). I have personal knowledge of the facts set forth in
4 this declaration, and if called as a witness, could and would competently testify as set forth below.

5 2. I started working for the Cabazon store in October 2006. I currently work
6 approximately 25-30 hours per week, 5 days a week and I am paid at an hourly rate of pay.

7 **Bag Inspection**

8 3. Each day after clocking out and prior to exiting the store, I must go through a bag
9 inspection process which is performed by either a manager or supervisor. For the last two years I
10 have worked for this store, it has taken an average of 2-3 minutes to leave to store after I clock out
11 and have my bag inspected, maybe 5 minutes at the most.

12 4. I have not had any problems with locating a manager to perform a bag inspection and
13 have no complaints about the process. If I can't find a manager to do the bag inspection I have
14 someone with a walkie-talkie call a manager for me.

15 **Clocking Out**

16 5. I have never experienced any problems with clocking-out at the end of my shift. My
17 paycheck accurately reflects the number of hours that I have worked. I know this because I work the
18 same hours every week and so my paycheck is the same.

19 **Rest Breaks**

20 6. The rest break schedule is written on the Daily Planning Agenda. I don't rely on the
21 Daily Planning Agenda, I wait for a manager to tell me when to go. I sign off on the Daily Planning
22 Agenda after taking my rest break.

23 7. I have not missed a rest break.

24 **Meal Breaks**

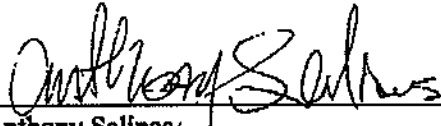
25 8. Meal breaks work the same way as rest breaks: a manager tells you when to go and the
26 timing is written down on the Daily Planning Agenda.

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1 9. I have never missed a meal break, even when its very busy.

2 I declare under penalty of perjury that the foregoing is true and correct. Executed at Cabazon
3 California, this 16 day of June, 2008.

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6 Anthony Salinas:
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